

Appendix A

APPENDIX A TO MEMORANDUM OF LAW OF DEFENDANTS NATIONAL FOOTBALL LEAGUE AND NFL PROPERTIES LLC IN SUPPORT OF MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED MASTER ADMINISTRATIVE LONG-FORM COMPLAINT FOR FAILURE TO STATE A CLAIM

Plaintiffs With Actions Pending in MDL 2323 Against NFL Defendants¹

Name	Relation to Former Player	Seasons of Former Player's Career²	Operative CBA(s) During Former Player's Career³	SFC Filed Against NFL Defendants⁴	Action Pending in MDL Against NFL Defendants	Additional Causes of Action Asserted Against NFL Defendants in SFC
Arnett, Jon D.	Self	1957 - 1966	N/A	Yes	Pugh, et al. v. NFL, et al., 12-cv-1165 (E.D. Pa.)	None
Bain, William E.	Self	1975 - 1986	1977; 1982	Yes	Hopkins, et al. v. NFL, et al., 12-cv-1239 (E.D. Pa.)	None

¹ The information in this chart comes from each individual Plaintiff's Short Form Complaint ("SFC") filed in MDL 2323. For those Plaintiffs who have not filed SFCs, the information is derived from the complaints filed in the underlying pending actions.

² With respect to Plaintiffs who are not themselves former players, but instead are the representatives or family members of former players, the information in this column and the "Operative CBA(s) During Former Player's Career" column refers to the career of the former player to whom Plaintiff's suit relates.

³ Since 1968, the NFL has operated under a CBA with only two exceptions: (1) the period between August 31, 1987 and March 29, 1993, when no CBA was in place, following the expiration of the 1982 CBA and prior to the execution of the 1993 CBA; and (2) the period between March 11, 2011 and August 4, 2011. The 1968 NFL CBA was effective from July 15, 1968 to February 1, 1970. The 1968 AFL CBA was effective from July 10, 1968 to February 1, 1970. The 1970 CBA was effective from February 1, 1970 to January 31, 1974. The 1977 CBA was effective from February 1, 1974 to July 15, 1982. The 1982 CBA was effective from July 16, 1982 to August 31, 1987. The 1993 CBA (as amended June 6, 1996, February 25, 1998, December 4, 2000, and January 8, 2002) was effective from March 29, 1993 to March 7, 2006. The 2006 CBA was effective from March 8, 2006 to March 10, 2011. The 2011 CBA became effective on August 4, 2011 and expires in 2020. References in this Appendix to the 1993 CBA incorporate any and all versions of that CBA that were in place during a given former player's career, as noted in the preceding column. The identification of operative CBAs in this column is based on seasons of play, rather than exact dates of employment, as Plaintiffs do not specifically allege the latter. The NFL Defendants reserve any and all rights to modify the list of operative CBAs as necessary based on additional information.

⁴ As explained in the NFL Defendants' accompanying memorandum of law in support of their motion to dismiss for failure to state a claim, certain Plaintiffs, despite having pending claims against the NFL Defendants, failed to file SFCs against the NFL Defendants. These Plaintiffs include: Ronald Brown, Danny Gorrer, Joseph W. Iorio, Neal Olkewicz, Adrian L. Robinson Jr. (and his representatives and family members), Edward Scott, John T. Smith, Joel E. Steed, Jay W. Tant, Natalie Tant, and Charles W. Walls. Plaintiffs Scott and Smith filed SFCs against their former Club but not the NFL Defendants.

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Brightful, Lamont	Self	2002 - 2005	1993	Yes	Jones, et al. v. NFL, 12-cv-1027 (E.D. Pa.)	None
Brown, Ronald	Self	1984 - 1991	1982	No	Jordan, et al. v. NFL, 12-cv-2802 (E.D. Pa.)	None
Bush, Danielle	Daughter of Lewis Bush	1993 - 2002	1993	Yes	Bush, et al. v. NFL, et al., 13-cv-4549 (E.D. Pa.)	None
Bush, Dee	Spouse of Lewis Bush	1993 - 2002	1993	Yes	Bush, et al. v. NFL, et al., 13-cv-4549 (E.D. Pa.)	None
Bush, Lewis	Self (deceased; suit brought by his successor in interest, Dee Bush)	1993 - 2002	1993	Yes	Bush, et al. v. NFL, et al., 13-cv-4549 (E.D. Pa.)	None

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Bush, Makai	Daughter of Lewis Bush (suit brought by her guardian ad litem, Cleo Bush)	1993 - 2002	1993	Yes	Bush, et al. v. NFL, et al., 13-cv-4549 (E.D. Pa.)	None
Bush Jr., Lewis	Son of Lewis Bush (suit brought by his guardian ad litem, Elizabeth Fox)	1993 - 2002	1993	Yes	Bush, et al. v. NFL, et al., 13-cv-4549 (E.D. Pa.)	None
Campbell, Woodrow L.	Self	1967 - 1971	1968 (AFL); 1970	Yes	Hairston, et al. v. NFL, et al., 12-cv-0989 (E.D. Pa.)	None
Carver, Shante	Self	1993 - 1997	1993	Yes	Maxwell, et al. v. NFL, et al., 12-cv-1023 (E.D. Pa.)	Negligence-Monopolist (against the NFL); Negligence with respect to helmets (against the NFL and NFL Properties)
Cobb, Marvin L.	Self	1975 - 1980	1977	Yes	Pugh, et al. v. NFL, et al., 12-cv-1165 (E.D. Pa.)	None

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Dorsett, Tony	Self	1977 - 1988	1977; 1982	Yes	Pear, et al. v. NFL, et al., 12-cv-1025 (E.D. Pa.)	Negligence-Monopolist (against the NFL); Negligence with respect to helmets (against the NFL and NFL Properties)
Eber, Richard L.	Self	1968 - 1972	1968 (NFL); 1968 (AFL); 1970	Yes	Jani, et al. v. NFL, et al., 14-cv-2064 (E.D. Pa.); Holt, et al. v. NFL, et al., 12-cv-4185 (E.D. Pa.)	None
Forsberg, Fred C.	Self	1968 - 1978	1968 (AFL); 1970; 1977	Yes	Boyd, et al. v. NFL, et al., 12-cv-0092 (E.D. Pa.)	None
Gayle, Shaun	Self	1984 - 1995	1982; 1993	Yes	Gayle v. NFL, et al., 12-cv-5212 (E.D. Pa.)	Negligence-Monopolist (against the NFL); Negligence with respect to helmets (against the NFL and NFL Properties)
Gorrer, Danny ⁵	Self	2009 - 2015	2006; 2011	No	Scroggins v. NFL, 16-cv-2058 (E.D. Pa.)	None

⁵ Based on the dates of his NFL play, Gorrer was not an eligible member of the Settlement Class and therefore did not formally opt out, but he has pending claims against the NFL Defendants in MDL 2323 which, pursuant to the Court's April 12, 2017 Order, are superseded by the Second Amended Master Administrative Long-Form Complaint ("Second Amended Complaint"). (See Order at 1 n.1 & ¶ 6, Apr. 12, 2017, ECF No. 7477 (providing that Second Amended Complaint supersedes all claims in complaints by all "non-Settlement Class Member plaintiffs with pending claims in MDL 2323," including any complaints coordinated or consolidated in MDL 2323 after April 12, 2017); see also Order at 1 n.1 & ¶ 2, July 18, 2017, ECF No. 8030.)

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Grant, Robert B.	Self	1968 - 1971	1968 (NFL); 1970	Yes	Hannah, et al. v. NFL, et al., 12-cv-3379 (E.D. Pa.)	None
Iorio, Joseph W.	Self	2003 - 2005	1993	No	Culpepper, et al. v. NFL, et al., 12-cv-2490 (E.D. Pa.)	None
Jarvis, John B.	Self	1971 - 1974	1970; 1977	Yes	Boyd, et al. v. NFL, et al., 12-cv-0092 (E.D. Pa.)	None
Johnson Jr., Ted C.	Self	1995 - 2005	1993	Yes	Garner, et al. v. NFL, et al., 12-cv-4634 (E.D. Pa.)	Count IV asserted against NFL; additional claim for "intentional concealment" "[e]ither in addition to or in lieu of Count X"
Krause, Paul J.	Self	1964 - 1979	1968 (NFL); 1970; 1977	Yes	Boyd, et al. v. NFL, et al., 12-cv-0092 (E.D. Pa.)	None
Lurtsema, Robert R.	Self	1966 - 1977	1968 (NFL); 1970; 1977	Yes	Boyd, et al. v. NFL, et al., 12-cv-0092 (E.D. Pa.)	None

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May Jr., Bert D.	Self	1992 - 2000	1993	Yes	Pear, et al. v. NFL, et al., 12-cv-1025 (E.D. Pa.)	Negligence-Monopolist (against the NFL); Negligence with respect to helmets (against the NFL and NFL Properties)
Morton, Larry C.	Self	1965 - 1982	1968 (NFL); 1970; 1977; 1982	Yes	Holt, et al. v. NFL, et al., 12-cv-4185 (E.D. Pa.); Morton v. NFL, et al., 13-cv-7660 (E.D. Pa.)	None
Olkewicz, Neal	Self	1979 - 1989	1977; 1982	No	Wisniewski, et al. v. NFL, et al., 12-cv-4187 (E.D. Pa.)	None
Parrish, Bernard P.	Self	1959 - 1966	N/A	Yes	Parrish v. NFL, et al., 12-cv-1700 (E.D. Pa.)	None
Pritchard, Ronald D.	Self	1969 - 1977	1968 (AFL); 1970; 1977	Yes	Henderson, et al. v. NFL, et al., 12-cv-3534 (E.D. Pa.)	Negligence-Monopolist (against the NFL); Negligence with respect to helmets (against the NFL and NFL Properties)

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Robinson Jr., Adrian L. ⁶	Self (deceased; suit brought by his representatives and family members)	2012 - 2014	2011	No	Robinson, et al. v. NFL, et al., 17-cv-2736 (E.D. Pa.)	None
Scott, Edward	Self	1987 - 1987	N/A	No	Brister, et al. v. NFL, 12-cv-3693 (E.D. Pa.)	None
Seau, Hunter	Son of Tiaina B. Seau Jr. (suit brought by his guardian ad litem, Gina Seau)	1990 - 2009	1993; 2006	Yes	Seau v. NFL, et al., 13-cv-1531 (E.D. Pa.)	None
Seau, Jake R.	Son of Tiaina B. Seau Jr.	1990 - 2009	1993; 2006	Yes	Seau v. NFL, et al., 13-cv-1531 (E.D. Pa.)	None

⁶ Based on the dates of his NFL play, Robinson was not an eligible member of the Settlement Class and therefore did not formally opt out. However, his daughter, parents, partner, and the Personal Representatives and Co-Administrators of his estate have pending claims against the NFL Defendants in MDL 2323 which, pursuant to the Court's April 12, 2017 Order, are superseded by the Second Amended Complaint. (*See* Order at 1 n.1 & ¶ 6, Apr. 12, 2017, ECF No. 7477 (providing that Second Amended Complaint supersedes all claims in complaints by all "non-Settlement Class Member plaintiffs with pending claims in MDL 2323," including any complaints coordinated or consolidated in MDL 2323 after April 12, 2017); *see also* Order at 1 n.1 & ¶ 2, July 18, 2017, ECF No. 8030.)

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Seau, Luisa	Mother of Tiaina B. Seau Jr.	1990 - 2009	1993; 2006	Yes	Seau v. NFL, et al., 13-cv-1532 (E.D. Pa.)	None
Seau, Sydney B.	Daughter of Tiaina B. Seau Jr.	1990 - 2009	1993; 2006	Yes	Seau v. NFL, et al., 13-cv-1531 (E.D. Pa.)	None
Seau, Tiaina	Father of Tiaina B. Seau Jr.	1990 - 2009	1993; 2006	Yes	Seau v. NFL, et al., 13-cv-1532 (E.D. Pa.)	None
Seau, Tyler C.	Son of Tiaina B. Seau Jr.	1990 - 2009	1993; 2006	Yes	Seau v. NFL, et al., 13-cv-1531 (E.D. Pa.)	None
Seau Jr., Tiaina B.	Self (deceased; suit brought by Bette Hoffman, as Trustee of the Tiaina B. Seau, Jr. 2002 Trust)	1990 - 2009	1993; 2006	Yes	Seau v. NFL, et al., 13-cv-1531 (E.D. Pa.)	None
Smith, Jesse D.	Self	1959 - 1966	N/A	Yes	Stabler, et al. v. NFL, et al., 12-cv-4186 (E.D. Pa.)	None

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Smith, John T.	Self	1978 - 1990	1977; 1982	No	Monk, et al. v. NFL, et al., 12-cv-3533 (E.D. Pa.)	None
Stant, Patrick M.	Self	1990 - 1990	N/A	Yes	Demarie, et al. v. NFL, et al., 13-cv-7659 (E.D. Pa.)	Negligence-Monopolist (against the NFL); Negligence with respect to helmets (against the NFL and NFL Properties)
Steed, Joel E.	Self	1992 - 1999	1993	No	Steed v. NFL, et al., 12-cv-1026 (E.D. Pa.)	None
Tant, Jay W.	Self	2000 - 2002	1993	No	Hannah, et al. v. NFL, et al., 12-cv-3379 (E.D. Pa.)	None
Tant, Natalie	Spouse of Jay W. Tant	2000 - 2002	1993	No	Hannah, et al. v. NFL, et al., 12-cv-3379 (E.D. Pa.)	None
Truax III, William F.	Self	1964 - 1973	1968 (NFL); 1970	Yes	Boyd, et al. v. NFL, et al., 12-cv-0092 (E.D. Pa.)	None

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Walker, George	Self	1961 - 1967	N/A	Yes	Anderson, et al. v. NFL, et al., 13-cv-2325 (E.D. Pa.)	None
Walls, Charles W.	Self	1989 - 2003	1993	No	Bauman, et al. v. NFL, et al., 12-cv-4576 (E.D. Pa.)	None

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**Current Opt-Outs Who Do Not Have Pending Actions in MDL 2323 Against NFL Defendants
But Have Filed Short Form Complaints Against NFL Defendants⁷**

Name	Relation to Former Player	Seasons of Former Player's Career	Operative CBA(s) During Former Player's Career⁸	SFC Filed Against NFL Defendants
Healy Jr., William	Self	1969 - 1970	1968 (NFL); 1970	Yes
Patrick, Allen	Self	2009 - 2010	2006	Yes
Riggins, Robert J.	Self	1971 - 1985	1970; 1977; 1982	Yes
Stein, Robert A.	Self	1969 - 1976	1968 (AFL); 1970; 1977	Yes

⁷ The information in this chart comes from each individual Plaintiff's SFC filed in MDL 2323.

⁸ See *supra* note 3.

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**Current Opt-Outs Who Do Not Have Pending Actions in MDL 2323 Against NFL Defendants
And Have Not Filed Short Form Complaints Against NFL Defendants**

Name	Relation to Former Player	Seasons of Former Player's Career ⁹	Operative CBA(s) During Former Player's Career ¹⁰
Abdullah, Hamza M.	Self	2005 - 2011	1993; 2006; 2011
Ashley Jr., Walker L.	Self	1983 - 1990	1982
Barnett, Timothy	Self	1991 - 1993	1993
Baugh, Jean M.	Spouse of Thomas Baugh	1986 - 1989	1982
Baugh, Thomas A.	Self	1986 - 1989	1982
Beban, Gary J.	Self	1968 - 1969	1968 (NFL)
Bebout, Nick	Self	1973 - 1980	1970; 1977
Cline Jr., Anthony	Self	1995 - 1999	1993
Cooper, Alexander L.	Self	1985 - 1993	1982; 1993
Cosbie, Douglas D.	Self	1979 - 1988	1977; 1982
Davis, Roberta L.	Spouse of Douglas Davis	1966 - 1972	1968 (NFL); 1970
DeCarlo, Arthur S.	Self	1953 - 1960 ¹¹	N/A

⁹ The information in this column comes from NFL.com—which contains certain biographical information regarding current and former NFL players, including the seasons played, *see* <http://www.nfl.com/players/search?category=name&filter=lewis&playerType=historical>—other publicly available information, or information provided by these opt-outs in connection with their opt-out requests. With respect to opt-outs who are not themselves former players, but instead are the representatives or family members of former players, the information in this column and the “Operative CBA(s) During Former Player’s Career” column refers to the career of the relevant former player.

¹⁰ *See supra* note 3.

¹¹ DeCarlo’s Complaint filed in New York Supreme Court states that his NFL career lasted from 1953 to 1961. *See* Civil Action Compl. ¶ 1, *DeCarlo v. Nat’l Football League*, No. 161644/2015 (N.Y. Sup. Ct. Nov. 11, 2015).

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Name	Relation to Former Player	Seasons of Former Player's Career⁹	Operative CBA(s) During Former Player's Career¹⁰
Gabriel, Roman I.	Self	1962 - 1977	1968 (NFL); 1970; 1977
Grier, Roosevelt	Self	1955 - 1966	N/A
Griffin Jr., Leonard J.	Self	1986 - 1993	1982; 1993
Hamilton, Ben T.	Self	2001 - 2010	1993; 2006
Harrison, Jerome	Self	2006 - 2011	2006; 2011
Harry, Emile M.	Self	1986 - 1992	1982
Hicks, Dwight	Self	1979 - 1986	1977; 1982
Jones, Frederick C.	Self	1990 - 1993	1993
Kelly III, Patrick	Son of Patrick Kelly II	1988 - 1991	N/A
Kelly II, Patrick J.	Self	1988 - 1991	N/A
Kelly, Kari B.	Spouse of Patrick Kelly II	1988 - 1991	N/A
Kenney, Sandra L.	Spouse of William Kenney	1978 - 1988	1977; 1982
Kenney, William P.	Self	1978 - 1988	1977; 1982
Krakau, Mervin F.	Self	1973 - 1978	1970; 1977
Lamana, Virginia P.	Spouse of Pete Lamana	1946 - 1948	N/A
Lesane, Elizabeth T.	Spouse of Jimmy Lesane	1952 - 1954	N/A
Lewis, Albert R.	Self	1983 - 1998	1982; 1993
Martin, Christopher	Self	1983 - 1994	1982; 1993
McNair, Todd D.	Self	1989 - 1996	1993

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Name	Relation to Former Player	Seasons of Former Player's Career⁹	Operative CBA(s) During Former Player's Career¹⁰
Morey, Sean J.	Self	1999 - 2009	1993; 2006
Nelson, Jimmie D.	Self	1986 - 1986	1982
Niswanger, Rudolph N.	Self	2006 - 2010	2006
Owens, Mel T.	Self	1981 - 1989	1977; 1982
Phillips, Elizabeth D.	Sister of Joseph G. Phillips	1986 - 1999	1982; 1993
Phillips, Joseph G.	Self	1986 - 1999	1982; 1993
Porter, Kevin	Self	1988 - 1993	1993
Ragon, Randy D.	Self	1978 - 1978	1977
Simonini, Ed	Self	1976 - 1982	1977; 1982
Simpson, William	Self	1962 - 1962	N/A
Sims Jr., George P.	Self	1949 - 1950	N/A
Smith, Chris M.	Self	1986 - 1987	1982
Smith, Neil O.	Self	1988 - 2000	1993
Still, Arthur B.	Self	1978 - 1989	1977; 1982
Terry, Douglas M.	Self	1992 - 1995	1993
Trufant, Marcus L.	Self	2003 - 2012	1993; 2006; 2011